



2-26-

Gp3764

Practitioner's Docket No.: 100_007 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: Dwayne Lacey

Serial No.: 09/935,297

Art Unit: 3764

Filed: August 22, 2001

Examiner: Yu, J.

Confirmation No.: 9672

For: HEAD MASSAGING DEVICE

Assistant Commissioner for Patents
Washington, D.C. 20231

PATENT

#8

C. Lacey
IDS
2/5/03

RECEIVED

JAN 02 2003

TECHNOLOGY CENTER R3700

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on December 24, 2002 under "EXPRESS MAIL" mailing label number EV 26361 3464 US.

Janet M Stevens
Janet M. Stevens

CERTIFICATION UNDER 37 C.F.R. § 1.97(e)

Sir:

Each item of information contained in the Information Disclosure Statement filed herewith was *first* cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

OR

No item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

Kevin C. Brown
Reg. No. 32,402

December 24, 2002

Date

KCB:jms
BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320



Practitioner's Docket No.: 100_007 CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Dwayne Lacey

Ser. No.: 09/935,297

Art Unit: 3764

Filed: August 22, 2001

Examiner: Yu, J.

Confirmation No.: 9672

For: HEAD MASSAGING DEVICE

RECEIVED
JAN 02 2003

TECHNOLOGY CENTER R3700

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to Assistant Commissioner for Patents, Washington, D.C. 20231 on December 24, 2002 under "EXPRESS MAIL" mailing label number EV 26361 3464 US.

Janet M. Stevens
Janet M. Stevens

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Form PTO-1449. Copies of each of the references listed on Form PTO-1449 are attached.

Also enclosed is a copy of an International Search Report bearing a mailing date of November 27, 2002 from a corresponding PCT patent application, and the U.S. PTO is directed thereto for a concise statement of possible relevance of the references cited therein.

The above information is presented so that the Patent and Trademark Office may, in the first instance, determine any materiality thereof to the claimed invention. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that these references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,



Kevin C. Brown
Reg. No. 32,402

KCB:jms

BURR & BROWN
P.O. Box 7068
Syracuse, NY 13261-7068

Customer No.: 025191
Telephone: (315) 233-8300
Facsimile: (315) 233-8320